

**REMARKS**

Claims 1-2, 5, 7-14, 17, 19-24, 50-51, 54-62 and 65-71 were rejected under 35 USC §103(a) as being obvious over Van Thong (U.S. 6,505,153) in view of Henmi (U.S. 5,390,027). Claims 6 and 18 were rejected as being obvious over Van Thong and Henmi in view of Shriver (U.S. 6,290,359).

The rejections are traversed on the grounds that the prior art references do not teach the features for which they are cited.

Independent claims 1 and 13 describe television program production wherein script data and ***rundown data*** are obtained prior to broadcast of the program, the script data and rundown data are processed to ***identify individual segments of the television program*** prior to broadcast of the program, closed caption data including timing data for the segments is created, and then the closed caption data including the timing data for individual segments is transmitted concurrently with broadcast of the program. Independent claims 50 and 61 describe television program production wherein ***rundown data*** for a television program is obtained prior to broadcast of the program, the rundown data is processed to ***identify individual segments of the television program***, and a video signal including timing data indicating the beginning of each individual segment is broadcast.

***"rundown data"***

The official action states at pages 2-3:

Van Thong discloses a obtaining script data and rundown data for a television program prior to broadcast of the television program (see Column 4, Lines 50-52 for the Time Event Tracker Module 23 accepting script data (text input 25) and rundown data (time-stamped audio 21)).

The official equates time-stamped audio 21 with the rundown data required by the claims.

The application describes rundown data, which is a well-known type of data used in the production of television programs such as news programs. An example of rundown data is shown in Figure 4 of the application. The rundown data

generally identifies events that occur during the course of the television program and provides information about timing and content. In contrast, Van Thong's time-stamped audio 21 is simply an audio data stream that includes timestamps which enable Van Thong's system to roughly align the typing of a human transcriber with the actual audio being transcribed. See Van Thong at col. 3, lines 25-43; col. 4, lines 22-46. Those of ordinary skill in the art would not consider Van Thong's time-stamped audio 21 to constitute the rundown data specified by the present claims. Therefore the assertion that Van Thong teaches the rundown data and the processing of rundown data required by the claims is not correct. As the rejections of all claims are premised on this assertion, all rejections are in error and should be withdrawn.

***"individual segments of the television program"***

The official action states at page 3:

Van Thong also discloses processing the script data and the rundown data to define individual segments of the television program prior to broadcast of the program (see Column 4, Lines 52-54 for processing the script and rundown data).

The "individual segments of the television program" specified by the claims do not equate with the "segments" discussed by Van Thong.

The present application states at paragraph [0055]:

For purposes of this description, a program comprises one or more "program segments" that pertain to different subjects and therefore can stand on their own as complete or individual viewing experiences. ... Examples of programs that are typically comprised of multiple program segments are news broadcasts, news magazine shows that present multiple feature stories, sports highlight shows, music video shows, informational shows, home shopping shows, and variety shows.

In view of this explanation, a person of ordinary skill in the art would understand the present claims to relate to identifying the individual portions of a television program that relate to different subjects, such as individual stories within a news program.

Van Thong does not identify individual segments of a television program. The cited portion of Van Thong (col. 4, lines 52-54) states:

Time Event Tracker Module 23

This module 23 automatically links operator text (transcription) input 25 with the time-stamped audio stream 21 output from speech rate control 19. This linking results in a rough alignment 27 between the transcript text and the original audio 13 or video recording.

This passage describes the process whereby Van Thong notes the time at which a transcriber types words relative to the audio signal that the transcriber is listening to. This results in a rough alignment between the typed words and the audio signal. This does not achieve an identification of individual segments of the television program as that term is used in the claims, and nothing in Van Thong's system has the ability to identify individual segments of a television program.

It is noted that Van Thong uses the term "segments" in several places, however in each instance this term is used to refer to something different than what is claimed in the present application.

At col. 3, lines 48-52, and col. 5, line 35 – col. 6, line 55, Van Thong describes a "closed caption segmenter 33" that breaks the closed caption text into groups of words ("segments") to be displayed together as a single line of closed caption text. This is unrelated to the identification of individual segments of a television program specified by the claims.

At col. 3, lines 17-24 and at col. 3, line 56 – col. 4, line 15, Van Thong describes an "audio classifier module 15" that "segments or otherwise sorts the audio input 13 into working parts that contain spoken words." Van Thong explains that the audio classifier module 15 is

trained to recognize broad classes of audio including silence, music, particular sounds, and spoken words. The output audio speech 17 is a sequence of segments, where each segment is a piece of the source audio track 13 labeled with the class it belongs to.

The purpose of the segmenter is to identify the parts of the audio that require transcription by the transcriber. This is unrelated to the identification of individual segments of a television program specified by the claims.

The assertion that Van Thong teaches the identification of individual segments of a television program is therefore not correct. As the rejections of all claims are premised on this assertion, all rejections are in error and should be withdrawn.

In addition, none of the other cited references teaches the features missing from Van Thong. Accordingly, a person of ordinary skill in the art would not be led to the processes and processing specified by the present claims by following the combined teachings of Van Thong, Henmi and Shriver.

The foregoing amendments and remarks address all bases for objection and rejection and are believed to place the case in condition for allowance. The examiner is invited to contact the undersigned to resolve any remaining issues.

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